

Bethany Care Ltd  
**Conflict of Interest**  
Policy & Procedure 11

“Ensure conflicts of interest of executive officers, employees and volunteers are declared, recorded and managed”.

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# Conflict of Interest Policy

## 1. Object & Field of Application

- 1.1 This document details the policy Bethany Care Ltd (BCL) uses to ensure conflicts of interest are declared, recorded and managed.

## 2. Scope

- 2.1 This policy has application for all Bethany Care staff (e.g. executive officers, board members, employees, volunteer staff etc).

## 3. Legislation

- 3.1 Disability Services Regulation 2006 (Qld)

## 4. Definitions

- 4.1 **Conflict of interest** - A situation in which someone in a position of trust has competing professional or personal interests. Such competing interests can make it difficult to fulfil duties impartially. Even if there is no evidence of improper action, a conflict of interest can create an appearance of impropriety that can undermine confidence in the ability of that person to act properly in that position.

## 5. General

- 5.1 In many instances, only the staff member involved will be aware that a conflict of interest exists, or that the potential for a perceived conflict of interest is present in a situation. Bethany Care will therefore ensure its staff understands they have personal responsibility to identify these conflicts and take necessary action to avoid circumstances where real or perceived conflicts of interest exist.
- 5.2 Where a conflict of interest has been identified, Bethany Care will ensure that person is not involved in decision making for the matter for which the conflict exists.
- 5.3 Where a conflict of interest has been identified, Bethany Care will ensure the issue is documented appropriately including detail of how the conflict was dealt with. These records will be kept securely for at least 7 years.

## 6. Potential Types of Conflicts

- 6.1 Examples of situations that could result in a conflict of interest occurring are set out below. This is not an exhaustive list. Further information about each interest is found in Appendix 1.

- Financial Interests
- Personal and Family Relationships Between Staff Members
- Personal and Family Relationships Between Staff Members and Clients
- Acceptance of Gifts or Benefits
- Use of Official Facilities and Equipment
- Personal Beliefs
- Public Comment
- Outside Employment

## **APPENDIX 1**

### **1. Financial Interests**

May include investments, ownership or directorship of companies, consultancies, provision of goods or services, receipt of royalties or other consideration, etc. Staff members performing finance or audit related duties must be impartial and be seen to be impartial in the performance of these duties, and must not use information obtained in the course of their work for their own personal benefit or disclose such information to a third party except where consent has been obtained or there is a legal or professional duty to disclose.

### **2. Personal and Family Relationships**

It must be recognised that supervisory and managerial staff have a responsibility to all staff clients and their families to operate fairly, objectively and consistently in the work environment.

A personal (romantic, sexual, financial etc.) or family relationship between a supervisor/manager and a staff member has the potential to compromise this responsibility directly where the supervisor/manager is responsible for the recruitment, selection, promotion, conditions of employment, benefits, performance appraisal, reward management, or dismissal of an employee, or indirectly by affecting the staff member's interaction with the Service.

For example, a conflict of interest exists where a person who is in a family or personal relationship with another member of staff is responsible for that person's performance review, or where a person who is in a family or personal relationship with another member of staff is in a position where they supervise the person with whom the relationship exists and where the responsibilities of that person involve the receipt or expenditure of money, or the allocation of financial resources.

### **3. Personal and Family Relationships Between Staff Members and Clients**

Bethany staff are required to provide equal, objective, consistent care, across the active Client base. A personal (romantic, sexual, financial etc.) or family relationship between a Bethany staff member and a client has the potential to compromise this responsibility directly where the staff member is responsible for the supervision and care of that client, or indirectly by affecting the client's interaction with the service.

In addition, mutual trust between staff members and clients is central to maintaining a healthy culture that fosters personal growth. This trust can be put at risk when persons of unequal power within the service engage in personal relationships because the person with greater power is in a position of authority to assess and make decisions about the other person in the relationship. In such situations a conflict of interest occurs because the potential exists for decisions to be made which have been influenced by the fact that a relationship exists, and biased decisions, or the even the perception among other clients that biased decisions have been made, can seriously damage a healthy culture.

### **4. Acceptance of Gifts or Benefits**

It is not acceptable for a staff member to give or receive a gift or favour that may:

- Compromise his or her judgement;
- Create a conflict of interest;
- Damage relationships with others; or
- Indicate any favouritism or prejudice towards a person or group of people.

Under no circumstances should a gift be solicited or a gift of money or a loan be accepted.

In the acceptance or refusal of gifts, staff should be careful to consider the cultural context in which the gift is offered and endeavour to avoid giving offence.

## **5. Use of Official Facilities and Equipment**

Staff members are expected to use all facilities and equipment efficiently and effectively and not to permit their abuse by others. Facilities and equipment should only be used for private purposes when official permission has been given.

## **6. Personal Beliefs**

While the recognition and exercise of freedom of ideas and speech are recognised as being fundamental to a democratic community, it is noted that “some extremely personal or quirky beliefs” outside specific job role or function may create a conflict of interest with Bethany Care’s mission, beliefs and values. While Bethany Care cannot dictate the beliefs of its employees, members of staff should consider carefully whether the dissemination of extreme beliefs or ideas might be regarded as ethically outside Bethany’s faith based ministry.

## **7. Public Comment**

Public comment includes public speaking engagements, comments to the media, letters to the media, books, journals articles, notices and use of electronic communications media such as facsimile machines, E-mail, Internet etc. where it might reasonably be expected that the publication or circulation of the comment will spread to the community at large.

All staff have the right to express their views as private citizens on any matter of public interest. Written or oral statements made in this context should not suggest in any way that the views expressed are those of Bethany Care as an organisation.

Bethany Care letterhead should be used for official communications only.

## **8. Outside Employment**

Staff should ensure any outside employment activities and commitments, do not adversely affect work performance while being paid by and specifically on Bethany’s time.

Examples of outside employment may include such things as online commerce (Ebay stores, Gumtree or other web based activities), the management of investment properties where paid hours may be lost to staff making phone calls to maintain their business interests etc.

